

sections applied simply to the garrisons, of soldiers in the service of the United States, for so many years. We have heard here, all around this hall, that hundreds, and thousands, and tens of thousands of these northern soldiers never intend to return at all after the war is over; but they intend to settle here and remain here. I have no doubt that many of them in Maryland, to-day, intend to make this State their home in the future, and yet, under this proposed section, if these men were to go to the polls to-morrow, and swear that it was their intention to become *bona fide* citizens of this State, they would be excluded from voting.

Mr. MILLER. If they voted as soldiers from and for their own State, they would be excluded and rightfully excluded. Last fall some of them voted, because they happened to have been six months in our hospitals, and when the question was asked, when they were ready to swear through under the forms of our election laws, "When did you last vote?" They answered, "The commissioners came around not more than three or four months ago, and took our vote."

Mr. SANDS. Then they did not come with the intention of becoming citizens. But I put the question—suppose it was their *bona fide* intention to become citizens of this State.

Mr. MILLER. Then they would be entitled to vote.

Mr. SANDS. No, sir.

Mr. PUGH. In my judgment the law is plain enough. This matter must be left to the judges. The difficulties arise at the polls to a greater or less extent; they cannot be avoided. It is a question of intention which the judges must determine. We cannot avoid the difficulty, because as it now appears it will still arise if the amendment is adopted.

Mr. BERRY of Prince George's. This makes it a matter of intention alone.

Mr. PUGH. That is the law already. So what would be the benefit of adopting the amendment?

Mr. BERRY, of Prince George's. The benefit would be that that man would be excluded from voting, who is a soldier, and says that he did not come here with the intention of making this State his residence, but would vote in New York should he return there.

Mr. PUGH. That is a question for the judges to determine. If they allow that man to vote they will do wrong. They are now left to act on the question of intention; and the question of intention will arise just as surely under the section suggested by the gentleman from Anne Arundel (Mr. Miller,) as now. And we will be in just precisely the same position whether the amendment be adopted or not. I shall vote against it.

Mr. MILLER. I will modify my amendment by leaving out "or while confined as a public prisoner."

Mr. STIRLING. I voted against this amend-

ment, and intend to vote against it again; and I wish to state the reasons that induce me to do so. I am not exactly certain whether the amendment states the law as it now stands, or whether it goes absolutely to the extent of saying that a man coming into this State, under the circumstances mentioned in the provision, shall under no circumstances have a right to vote. If it does do that, it goes too far. If it does not do that, then it is unnecessary. I would rather let the law stand as it does, than put anything else in the constitution that might cause difficulty. We have already provided in this constitution that no man shall vote in the State unless he is a resident. And what is the necessity of any provision of this kind? If any soldier is to vote he must be first registered, and that does away with the entire difficulty proposed to be remedied by this section.

Mr. EDELEN. You do not propose to register at the first election.

Mr. STIRLING. No, sir; but very soon afterwards. I know now what the law is. The judges may fraudulently or ignorantly administer that law. But they may fraudulently administer this provision if it is put into the constitution. If a man is disposed to get around the law, he will get around it; unless you make it so absolute that there is no difficulty about it. You cannot make the question of intention absolute and free from difficulty. There would be no security in Baltimore city with a provision of this sort. If these soldiers want to vote, and their officers connive at it, all the soldiers would have to do would be to take off their uniforms and run around town in citizen's clothes, and no one would know they were soldiers. There is always some degree of fraud in our elections, and will be unless there is a registry law. There is no other mode of preventing fraud, because the judges of election will be imposed upon. And if the judge of election is a strong party man he will never challenge the vote of a man who comes up with a political friend. Not one man in fifty would do it. I would rather let well enough alone. I do not know but what I may be caught with this thing; I do not know exactly what the effect of it may be; and I prefer to let the law stand as it now is.

Mr. BERRY, of Prince George's. I move that this section be informally passed over, so that members may consider it. I do not consider it entirely perfect: it may be amenable to some of the objections urged by the gentleman from Baltimore city (Mr. Stirling.) It may be an important provision to put into the constitution. And in order to make it as perfect as possible, I move that it be informally passed over.

The question being taken upon the motion to pass over the section informally, it was not agreed to.